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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,
10 Plaintiff,
11 vs.
12 KIRK ORMAND DAVIS,
13 Defendant.

Case Nos. 2:12-cr-373-GMN-VCF
2:13-cr-55-GMN-VCF

Stipulation to Continue the Revocation
Hearing (Third Request), per
ECF No. 114 in 2:12-cr-373, and
ECF No. 100 in 2:13-cr-55

15 **STIPULATION**

16 The United States of America, through Jason M. Frierson, United States Attorney,
17 and Daniel J. Cowhig, Assistant United States Attorney, and defendant Kirk Ormand
18 Davis, by and through his counsel, Rene L. Valladares, Federal Public Defender, and
19 Navid Afshar, Assistant Federal Public Defender, stipulate and agree and jointly move this
20 Honorable Court to continue the revocation hearing in the captioned matters, set in the
21 Court's ORDER at ECF No. 114 in Case No. 2:12-cr-373-GMN-VCF, and at ECF No.
22 100 in Case No. 2:13-cr-55-GMN-VCF for Tuesday, May 30, 2023, at 9:00 a.m. to a date
23 and time convenient to the Court but no sooner than 60 days from that date.

1 Defendant Davis is in state custody serving a sentence of incarceration in a criminal
2 matter, distinct from those in which he was previously detained in Nye County, Nevada.
3 He is currently housed in the Las Vegas City Jail. The parties anticipate defendant Davis'
4 release from custody in that criminal matter within 30 days.

5 Between November 2022 and April 2023, defendant Davis participated in a court-
6 ordered competency evaluation under 18 U.S.C. §§ 4241 and 4247. A conclusion of that
7 examination was that defendant Davis suffers from severe mental illness, but that he had
8 been medicated to competency during that period.

9 The parties and the United States Probation Office lack sufficient information to
10 assess defendant Davis' current mental status. Additional time is needed so that counsel for
11 defendant Davis and the supervising Probation Officer may assess defendant Davis' status
12 on completion of his current term of custody. Further, counsel for defendant Davis needs
13 sufficient time to consult with him prior to any hearing.

14 The parties make this stipulation for good cause and not for the purposes of delay.
15 Should defendant Davis be released sooner, and should a sooner hearing be appropriate,
16 the parties anticipate advancing the date of the hearing.

17 A proposed order to accomplish the requested change is attached.
18 Respectfully Submitted this May 26, 2023:

19 JASON M. FRIERSON
20 United States Attorney

21 *//s// Daniel J Cowhig*
22 DANIEL J. COWHIG
23 Assistant United States Attorney

24 *//s// Navid Afshar*
25 NAVID AFSHAR
26 Assistant Federal Public Defender
27 Counsel for Kirk Ormand Davis

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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 vs.

9 KIRK ORMAND DAVIS,

10 Defendant.

Case Nos. 2:12-cr-173-GMN-VCF
2:13-cr-55-GMN-VCF

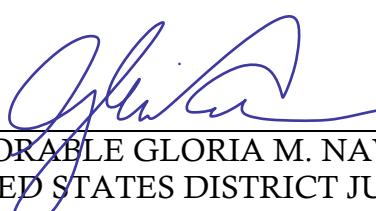
ORDER Setting Revocation Hearing

12 **ORDER**

13 IT IS HEREBY ORDERED, based on the stipulation of the parties, and good cause
14 appearing therefore, that the Tuesday, May 30, 2023, revocation hearing set by this Court's
15 ORDER at ECF No. 114 in Case No. 2:12-cr-373-GMN-VCF, and at ECF No. 100 in
16 Case No. 2:13-cr-55-GMN-VCF for, at 9:00 a.m. to August 9, 2023, at 9:00 a.m.
17 in Las Vegas Courtroom 7D.

18 IT IS SO ORDERED.

19 Dated this May 30, 2023.

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HONORABLE GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE